

Message Text

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ACTION DLOS-09

INFO OCT-01 EA-10 IO-13 ISO-00 AF-10 ARA-10 EUR-12
NEA-10 AGR-01 ACDA-12 AID-05 CEA-01 CEQ-01 CG-00
CIAE-00 COME-00 DODE-00 DOTE-00 EB-08 EPA-01
SOE-02 DOE-15 FMC-01 TRSE-00 H-01 INR-10 INT-05
JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-09 OMB-01
PA-01 PM-05 SP-02 SS-15 ICA-11 /191 W
-----010842 090950Z /16

P R 090853Z AUG 78

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC PRIORITY 7462

INFO AMEMBASSY SINGAPORE

AMEMBASSY JAKARTA

USMISSION GENEVA

USMISSION USUN NEW YORK

C O N F I D E N T I A L KUALA LUMPUR 8567

E.O. 11652: GDS

TAGS: PLOS, MY

SUBJ: LOS: RESUMED SEVENTH SESSION

REF : A)STATE 188840, B) KUALA LUMPUR 5295, C) STATE 134431

1. EMBASSY LOS OFFICER CALLED ON MFA PRINCIPAL ASSISTANT
SECRETARY FOR LOS AFFAIRS N. PARAMESWARAN AUG 7 TO DISCUSS
FORTHCOMING RESUMED SEVENTH SESSION LOS CONFERENCE INCLUDING US
POSITION IN FAVOR OF "IRISH FORMULA" FOR DEFINING CONTINENTAL
SHELF (PER PARA TWO REF A). PARAM INDICATED HE WAS AWARE OF
U.S. POSITION AND NOTED THAT GOM LIKEWISE SUPPORTS IRISH FORMULA
IN SPITE OF ITS COMPLEXITY.

2. FURTHER TO REF B, GOM DELEGATION WILL BE HEADED BY LAW
MINISTER DATUK HAMZAH ABU SAMAH, WHO WAS RE-ELECTED TO PARLIAMENT
JULY 8 AND REAPPOINTED TO HIS POST AS LAW MINISTER/ATTORNEY
GENERAL. THE ELEVEN-MEMBER DELEGATION WILL ALSO INCLUDE: ZAKARIA
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YATIM, HEAD OF THE INTERNATIONAL LAW DIVISION, MINISTRY OF
LAW; HASHIM SA, SECRETARY-GENERAL, MINISTRY OF SCIENCE,
TECHNOLOGY AND ENVIRONMENT; MR. THILAGADURI, MINISTRY OF TRANS-
PORT (FORMERLY COMMUNICATIONS); PARAMESWARAN FROM MFA; AZZAT
KAMALUDDIN, FIRST SECRETARY, MALAYSIAN COMMISSION, HONG KONG;
TWO UNNAMED REPRESENTATIVES FROM THE ATTORNEY GENERAL'S CHAMBERS;
ON REPRESENTATIVE EACH FROM THE FISHERIES DEPARTMENT AND PETRONAS

(MALAYSIAN NATIONAL PETROLEUM CORPORATION); AND A MEMBER OF MALAYSIA'S PERMANENT UN MISSION IN NEW YORK. ACCORDING TO PARAM, THE GOM DELEGATION WOULD BE MEETING WITH OTHER G-77 DELEGATIONS BEFORE FORMAL PROCEEDINGS GET UNDERWAY AUGUST 21. HAMZAH WILL JOIN DELEGATION AFTER MUSLIM FASTING MONTH ENDS (SEPT 4) FOR AT LEAST ONE WEEK STAY.

3. PRELIMINARY CONSULTATIONS ARE PLANNED WITHIN NEXT FEW DAYS WITH FELLOW LOS EXPERTS FROM SINGAPORE AND INDONESIA TO COORDINATE THEIR POSITIONS ON STRAITS ISSUES. IN THIS REGARD PARAM SAID THAT ON ARRIVAL IN NEW YORK AN APPROACH WOULD BE MADE TO OUR DELEGATION TO FORMULATE MEANS OF "TYING UP THE LOOSE ENDS" AND "TO CONCLUDE DISCUSSIONS" ON STRAITS. PARAM REFERRED TO MARCH 29, 1977, "NOTES ON PACKAGE ARRANGEMENT REGARDING MALACCA STRAITS RESULTING FROM US-MALAYSIAN TALKS MARCH 28-29, 1977" (I.E. DURING AMBASSADOR RICHARDSON'S VISIT HERE). IN PARTICULAR THEY ARE INTERESTED IN THE "FORM AND MODALITIES FOR INTRODUCTION" OF THE INTERPRETIVE STATEMENT MENTIONED IN THE PACKAGE ARRANGEMENT RE CLARIFYING ENFORCEMENT PROVISIONS OF THE MALACCA STRAITS TRAFFIC SEPARATIONSCHECME (TSS); I.E., AS PARAM PUT IT, A "LEGALLY BINDING" DEFINITION BY WHICH VIOLATION OF UNDER KEEL CLEARANCE (UKC) PROVISIONS OF THE TSS WOULD CONSTITUTE A "ATHREAT OF DAMAGE TO THE MARINE ENVIRONMENT." (ART. 234). PARAM ADDED THAT CLARIFICATION IS ALSO BEING SOUGHT REGARDING THE TERM "GENERALLY ACCEPTED INTERNATIONAL STANDARDS" IN THE STRAITS CHAPTER AND ELSEWHERE. (FOR BACKGROUND SEE 77
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STATE 81604 (NOTAL) AND 77 KUALA LUMPUR 7938 (NOTAL).)
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